

**REMARKS**

Applicant respectfully requests reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

Claims 1-14 are currently being amended.

This amendment adds, changes and/or deletes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier. After amending the claims as set forth above, claims 1-17 are now pending in this application.

**Status of Office Action**

The Office Action Summary shows both boxes for non-final and final with an “X”. Applicant assumes that the action is non-final because the Examiner makes no mention of it being final within the text of the Office Action and the Office Action comes after a pre-appeal brief and a withdrawal of the outstanding rejections.

**Rejections Under 35 U.S.C. § 112**

Claims 1, 11, and 12 were rejected under 35 U.S.C. § 112, second paragraph. The allegedly confusing phrase “without using ... corresponding manual input means” has been amended to remove “corresponding manual input means.” Applicant respectfully requests withdrawal of the rejection.

Claims 1, 11, and 12 were also rejected for insufficient antecedent basis of “drive means” used several time in each of the claims. Applicant has amended “drive means” to include “electrical drive means” in each of claims 1, 11, and 12. Applicant respectfully requests withdrawal of the rejection.

**Rejections Under 35 U.S.C. § 102**

Claims 1-17 were rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent EP 0973138 (Suuronen). Applicant respectfully traverses the rejection.

Both Suuronen and the present application are from patent applications originally filed by Nokia Corporation. Claims 1-17 are directed to technology not described by Suuronen.

To support the rejection, the Examiner points to Paragraph [0012] of Suuronen which states:

In accordance with a preferred embodiment of the invention, the motion detector of a mobile communications device is built around a vibrating alarm device included in the mobile communications device or its auxiliary. A vibrating alarm device typically comprises an electric motor which has an eccentric mass on its axle. As the electric motor rotates, the eccentricity of the mass causes that the device seems to vibrate. When the electric motor is not rotating the axles, the axle and its eccentric mass move relatively freely under the influence of external forces exerted on the mass. Small movement of the axle is detected on the basis of the electric current induced by the axle in the windings of the electric motor. A simple control circuit can *detect* whether there is induced current in the windings or not and, hence, whether the mobile communications device is moving or not. The magnitude and quality of the movement can be determined using more complex control arrangements.

(emphasis added.)

However, neither this section nor anywhere else in Suuronen describes a device with a drive means having an electric signal induced therein where the device is moved in a way that causes the moveable means to move and where the induced signal in the drive means is used to control the device. Paragraph [0012] of Suuronen describes a control circuit that *detects* an induced current and suggests that the magnitude and quality of movement can also be determined. However, there is no suggestion that the induced current is used to *control* operation of the device.

The Examiner points to paragraph [0015] of Suuronen which states “an electric motor 102 which rotates an axle 103 in response to a command from the control block 104 in the mobile communications device.” However, this description details that an axle is rotated based on a command from a control block. It is not “controlling a desired operation of the portable telecommunication device by means of the signal induced in the electrical drive means” (Claims 1 and 12). It is not describing an induced electrical signal that serves as “a user interface for providing operational input to a portable telecommunication device” (Claim

11). There is nothing in paragraph [0015] that suggests the command from the control block is in any way associated with an induced current. Suuronen fails to disclose or suggest using an induced current created by movement of a device as a way for device operations to be controlled.

An anticipation rejection cannot be properly maintained if the cited reference does not show each and every limitation of the rejected claim. For at least the foregoing reasons, Applicants respectfully request withdrawal of the rejection under 35 U.S.C. § 102.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

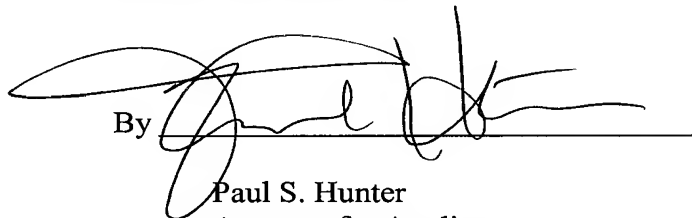
The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check or credit card payment form being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date June 2, 2008

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By

A handwritten signature in black ink, appearing to read 'Paul S. Hunter', is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke at the end.

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